

REMARKS

Claims 1-226 remain pending in this application. Further reconsideration is requested.

The restriction requirement is traversed. The requirement alleges that none of the identified Groups I-III contain the same special technical feature. This is incorrect.

Claims 1-39 and 112-226 (specified as Group I), claims 40-86 (specified as Group II), and claims 87-111 (Specified as Group III), all contain the special feature of evaluating a patient's management of diabetes by performing predetermined mathematical operations on BG data collected over a certain period of time.

Claim 1 requires estimating HbA_{1c} by mathematically processing collected BG data. As is known, glycosylated hemoglobin (HbA_{1c}) is a molecule in red blood cells that attaches to glucose. Thus, one has more glycosylated hemoglobin if one has more glucose in their blood, and thus HbA_{1c} gives a good estimate of how well diabetes is being managed.

Claim 40 (Group II) requires the computation of LBGI based on collected BG data. LBGI is a known index of hypoglycemia, and thus also provides an indication of the state of diabetes management.

In this regard, claims 5 and 6 (part of Group I) also set forth the feature of computing LBGI (Low Blood Glucose Index), and thus the feature of Group II is in fact contained in Group I.

Similarly, claim 87 (Group III) requires computation of a low BG risk value (RLO) for each collected BG data, as a measure of hypoglycemia. This is similar to the Low Blood Glucose Index as recited in claims 5 and 6 (Group I).

In summary, each of the identified Groups I-III contain the special technical feature of evaluating a patient's management of diabetes by performing predetermined mathematical operations on BG data collected over a certain period of time. Accordingly, the restriction requirement is traversed.

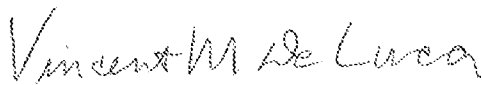
To comply with 37 CFR 1.143, Applicants elect the invention of Group I, claims 1-39 and 112-226. As noted above, examination of Group I claims implicates the claims of Groups II and III such that the same technical features will be examined in any event. In

view of the foregoing withdrawal of the restriction requirement and examination on the merits of claims 1-226 is earnestly requested.

Conclusion

In view of the foregoing, consideration of claims 1-226 on the merits of this application is earnestly solicited.

Please charge any fee or credit any overpayment pursuant to 37 CFR 1.16 or 1.17 to Novak Druce Deposit Account No. 14-1437.

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